

FINDING OF NO SIGNIFICANT IMPACT
for the implementation of the
SUBMERGED CULTURAL RESOURCES MANAGEMENT PLAN
LAKE MEAD NATIONAL RECREATION AREA

INTRODUCTION

The National Park Service has prepared an environmental assessment (EA) for the implementation of a Submerged Cultural Resources Management Plan for Lake Mead National Recreation Area (NRA). The EA evaluated the no action alternative and two action alternatives to determine how to manage cultural resources that exist below the high-water marks of Lake Mead and Lake Mohave.

PURPOSE AND NEED

The completion of Hoover Dam and subsequent creation of Lake Mead resulted in the inundation of numerous archeological sites, American Indian sacred sites, and towns, as well as transportation features, buildings, and structures associated with the construction of Hoover Dam, a National Landmark. Prolonged drought conditions are causing the lake to drop to its lowest level in decades. Many previously submerged cultural resources are now exposed; other resources that are still submerged are now in shallow water and more accessible to recreators. These cultural sites are non-renewable resources that are currently at risk of impacts. One such resource, a B-29 bomber, was vandalized by divers, forcing a temporary diving restriction in the area surrounding the aircraft. Other sites are at risk from improper mooring by visitors engaging in recreational activities. Ancient towns and other sites have become vulnerable to looting activities. Once these resources are destroyed, a part of our nation's heritage is lost forever. The goal of Lake Mead NRA is to preserve these important windows to the past while providing access and recreational opportunities through a comprehensive program of education and stewardship.

ALTERNATIVES CONSIDERED

The EA analyzed the effects of three alternatives: No Action/Unrestricted Access and Use (Alternative A), Restriction of Recreational Access and Use (Alternative B), and Managed Recreational Access and Use (Alternative C).

Alternative C is the National Park Service-preferred alternative and constitutes the proposed action. Under this alternative, access to and recreational use of cultural resource sites would be managed through a systematic program of research, evaluation, documentation, monitoring and stewardship. Submerged cultural resource management would be proactive, developing a system of public use that promotes monitoring, condition assessment, and stewardship by the users.

Under Alternative A, all submerged cultural resources would be open to recreational activities. Protection of resources would be based on existing laws and regulations, but

management actions would be reactive rather than proactive, occurring only when resource damage is discovered and documented. This option would allow unregulated access and use for any existing type of recreational activity and any recreational activity that may be developed in the future.

Under Alternative B, all recreational activities on submerged cultural resources would be prohibited, except when directly supervised by an on-site National Park Service employee. No unsupervised recreational activities would be allowed in or around submerged cultural sites. Areas containing submerged cultural resources would be closed with signs or buoys.

SELECTED ALTERNATIVE

The National Park Service has selected Alternative C, Managed Recreational Access and Use. This alternative is the same as that presented in the EA and best allows the park to meet its objective of preserving important cultural and archaeological resources while providing access and recreational opportunities through a comprehensive program of education and stewardship. Due to the programmatic nature of the EA, a generalized analysis of impacts was completed; should the park consider any projects in the future which are related to submerged cultural resources and which were not subject to site-specific analyses in the EA, then further compliance will be completed as appropriate.

ENVIRONMENTALLY PREFERRED ALTERNATIVE

An alternative must meet the following criteria to be considered an environmentally preferred alternative:

1. Fulfill the responsibilities of each generation as a trustee of the environment for succeeding generations.
2. Ensure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings.
3. Attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences.
4. Preserve important historic, cultural, and natural aspects of our national heritage and maintain, whenever possible, an environment that supports diversity and variety of individual choice.
5. Achieve a balance between population and resource use that will permit high standards of living and a wide sharing of life's amenities.
6. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

Based on the above criteria, the environmentally preferred alternative is the proposed action. Alternative C allows the park to preserve important historical and cultural aspects of our national heritage and maintain them for current and future generations. In addition, it achieves a balance of beneficial uses by providing for both resource

protection and visitor use and enjoyment of those resources. Alternative A does not provide adequate protection of cultural resources, which in turn could negatively impact the experience of future visitors. Alternative B is highly restrictive of visitor access and thus does not achieve the widest range of beneficial uses of the environment.

MITIGATION

The following mitigation measures related to recreation on or near cultural resource sites have been incorporated into the selected alternative to reduce impacts.

- The Park Archaeologist will consult with the Nevada State Historic Preservation Office (SHPO) to determine the significance of the archeological sites located in the project area and to develop a plan to mitigate any adverse effects caused by recreational activities.
- The park's Chief of Cultural Resources will consult with the appropriate Native American groups as required by the various laws, regulations, and executive orders.
- The park's cultural resource and interpretation staff will, through outreach and interpretive programs, educate the public about the value of cultural resource sites and the need to protect them for future generations.
- Under the direction of the Park Archaeologist, monitoring of known cultural resource sites will be used to document impacts and assess the need for additional protective measures.

ENVIRONMENTAL CONSEQUENCES OF THE PROPOSED ACTION

Cultural Resources

By managing access to, and recreational use of, submerged cultural resources through the implementation of a submerged cultural resource plan, the park can balance the need to protect the resources with the opportunity for visitors to enjoy them. Rather than implement a blanket policy that treats all resources the same, the park can determine the level of use that is appropriate for individual resources and then implement a policy that protects them from damage from excessive use or intentional destruction. Sites that are only open to permitted dive outfitters would benefit from the increased level of monitoring that professional divers could provide to the park. Therefore, the proposed action has beneficial effects for the resources.

Park Operations

The park would use a systematic program of research, evaluation, documentation, monitoring, and stewardship to manage access and use of submerged cultural resources. Permits for access and use would be authorized on a case-by-case basis. Cultural resource specialists would be responsible for monitoring use, developing strategies for mitigating impacts and, when impacts cannot be mitigated, implementing closures.

Administrative time would be needed to issue permits, and law enforcement personnel would be responsible for enforcing permit conditions. However, many of the tasks that would be required under this alternative are already performed by park staff for a variety of other projects. In addition, many of the monitoring and stewardship duties would be assumed by permitted visitors to the sites, alleviating some of the workload of park staff. Therefore, the proposed action would have negligible to minor impacts to park operations. The cumulative effect of placing additional responsibility on existing park staff and taking time away from other park needs would also be minor.

Visitor Use and Experience

Visitors could enjoy cultural resources at all sites where visitation is appropriate, provided that they comply with the regulations of the submerged resources management plan. Sites requiring closure could still be enjoyed through video imagery and real-time research feeds. Since cultural resources would not be subject to damage as they would under an unrestricted access alternative, the experience would be available to future generations as well. Therefore, the proposed action would have beneficial effects to visitor use and experience.

Socioeconomic Resources

Local dive groups could apply for permits to bring visitors to submerged cultural resource sites. Sensitive sites would be accessible only through commercial operations regulated by the National Park Service, creating a new business opportunity for dive shops. Therefore, the proposed action would have beneficial effects to socioeconomic resources.

PUBLIC INVOLVEMENT AND AGENCY CONSULTATION

Public scoping for the preparation of the Submerged Cultural Resource Plan was initiated through a press release, and comments were accepted for a 30-day period from June 21 to July 21, 2004. No comments were received. In addition, a special scoping session for management of the B-29 was conducted on May 10, 2005. Participants included National Park Service personnel and members of the local dive community, including the Nevada SCUBA Retailers Association. Items of discussion included diver safety and means for ensuring the protection of the aircraft.

Notice of the EA's availability was posted on the park's website and issued through a press release to area newspapers, television and radio stations. A letter announcing the availability of the EA was mailed to 201 entities on the park's mailing list, and 78 of these parties received a copy of the document. Recipients of the EA included federal agencies, state agencies, local governments, park concessioners, tribal governments, private organizations, and members of the dive community. In addition, the document was posted on the park's website, sent to 15 area libraries, and was available upon request. Comments were accepted for a 30-day period ending on December 15, 2005.

The Nevada State Clearinghouse submitted a letter stating that the proposal is not in conflict with any state plans, goals, or objectives. An individual submitted a letter

suggesting techniques for surveillance and protection of the B-29 airplane. The comments did not correct or add substantially to the facts presented in the EA, nor did they identify any issues or impacts not considered in the EA.

Prior consultation and coordination efforts have contributed to the need for a Submerged Cultural Resource Plan. The recommendation to develop a strategy for addressing submerged resources has been put forth during past consultations with the tribes. The Nevada SHPO has consulted with the park on several submerged resources and was notified of the proposed plan. All affected tribes, as well as the Nevada and Arizona SHPOs, received review copies of the EA. The state SHPOs will be consulted as appropriate on any future projects implemented by the park under this plan.

IMPAIRMENT OF PARK RESOURCES OR VALUES

The effects of the proposed action will not impair park resources or values necessary to fulfill specific purposes identified in the park's enabling legislation. Impacts documented in the environmental assessment and summarized above will not affect resources or values key to the natural and cultural integrity of the park or alter opportunities for the enjoyment of the park. The proposed action will not impair park resources and will not violate the National Park Service Organic Act. This conclusion is based on a thorough analysis of the impacts described in the environmental assessment and the professional judgment of the decision-maker in accordance with *National Park Service Management Policies*, 2001.

CONCLUSION AND BASIS FOR DETERMINATION

Based on the analysis completed in the environmental assessment, the capability of the mitigation measures to reduce, avoid, or eliminate impacts, and with consideration for the minimal public concerns, the National Park Service determined that the selected alternative does not constitute an action that normally requires the preparation of an environmental impact statement.

The selected alternative does not constitute a major federal action significantly affecting the quality of the human environment. Implementation of the selected alternative would not have a significant effect on the human environment. There are no significant impacts on public health, public safety, threatened or endangered species, historic properties, either listed in or eligible for listing in the National Register of Historic Places, ethnographic resources, or other unique characteristics of the region.

There are no highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence identified. Implementation of the action would not violate any federal, state, or local environmental protection law. Therefore, in accordance with the National Environmental Policy Act of 1969, and regulations of the Council on Environmental Quality (40 CFR 1508.9), an environmental impact statement will not be prepared for this project, and the selected action may be implemented as soon as practicable.

Recommended:

William K. Dickinson
Superintendent, Lake Mead National Recreation Area

Date

Approved:

Jonathan B. Jarvis
Regional Director, Pacific West Region

Date